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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/772,994

02/05/2004

Thomas E. Bolander

GP-303877

5387

7590

06/29/2005

CHRISTOPHER DEVRIES

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EXAMINER

POPE, DARYL C

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/772,994

Applicant(s)

BOLANDER ET AL.

Examiner

DARYL C. POPE

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

**ART REJECTION:**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-2,4,6-7,9-12,15-16, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nan-Mu et al(5,164,701).**

-- In considering **claims 1 and 15**, the claimed subject matter that is met by Nan-Mu et al(Nan-Mu) includes:

1) the brake lights and headlights are met by the brake lamps(51-55) and head lamps(41-42);

2) the control unit is met by the switches of the electrical system in conjunction with manual control circuit(see: column 3, lines 61 et seq);

3) the vehicle speed sensor is met by the sensor mechanism including a speed pulse generator means(5).

- Nan-Mu does not disclose:

1) the vehicle speed sensor connected to the control unit.

Although a speed sensor and that sensor being connected to the control unit is not specifically disclosed by Nan-Mu, it would have been obvious that a speed pulse generator would have been connected to the manual control circuit, since this would

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have been necessary in order for the circuit to determine whether the car would have been moving or stationary in order to turn on or off the headlights when the switch would have been in automatic mode(see: column 3, lines 55-60). Furthermore, it would have been obvious that the brake lights would have been illuminated when the headlight would have been on and the vehicle not moving because Nan-Mu states that the manual control circuit operates the headlights via switch SW 105 whether the car is moving or stationary when not in automatic mode(see: column 3, lines 55-56), and therefore, it would have been obvious that the brake lights would have been operated when the vehicle would have been stationary and the headlights would have been on, whenever the brake pedal would have closed the brake switch(103).

-- With regards to **claims 2,6-7,16, and 19**, although Nan-Mu does not specifically disclose a PRNDL selector, it would have been obvious that some form of gear selector would have been included in the vehicle, depending on whether the vehicle would have been automatic or manual, and therefore a PRNDL selector would have been necessary in order for proper operation of the vehicle.

Furthermore, the control unit illuminating the brake light when the vehicle is not in PARK and not moving would have been achieved by the depression of the brake pedal so as to bring the vehicle to a stop, and the brake lights being illuminated while the selector would have been in the neutral or drive position, but the vehicle being stopped by application of the brake pedal.

-- With regards to **claims 4,9-12,18, and 20**, it would have been obvious that the reverse lights(51 and 55) would have been illuminated when the vehicle is not in

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REVERSE and is moving backwards, since Nan-Mu teaches illumination of the lamps(51 and 55) when the vehicle is backing up(se: column 4, lines 54-66), and does not distinguish if this occurs when the vehicle is in REVERSE or going backwards without being in REVERSE, which occurs in instances such as rolling backwards down a hill in neutral.

-- With regards to **claim 5**, the examiner takes Official Notice that in the vehicle art use of transmission control modules, brake systems, speed sensors, body control modules, and engine control modules are well known, and therefore, it would have been obvious to one of ordinary skill in the art to incorporate the above stated devices into the system of Nan-Mu in a manner that would have allowed selective generating of brake and reverse light control signals, since Nan-Mu already teaches the use of a brake system, speed sensor, and some form of PRNDL and transmission module, and therefore incorporation of a body control module for indicating headlight operation would have facilitated use of the automatic headlight system, and as well, an engine control module would have facilitated interconnection of the above stated apparatus so as to facilitate proper activation of the signals so as to properly operate the brake and reverse lights as necessary.

**3. Claims 3,13-14, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nan-Mu et al(Nan-Mu) in view of Sendowski(6,225,896).**

-- In considering **claims 3,13-14, and 17**, although Nan-Mu does not teach illumination of the brake light when a vehicle's deceleration would have reached a predetermined

threshold, use of means for sensing deceleration threshold and illuminating lights is well known in the art.

In related art, Sendowski discloses a system of illuminating lights when an deceleration sensor deceleration above a predetermined level(see: column 2, lines 16 et seq). Since Nan-Mu already desires to illuminate vehicle lights based on vehicle movement so as to promote safety, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the deceleration sensor of Sendowski into the system of Nan-Mu, since this would have enhanced the illuminating features of the system by including deceleration indicating for the vehicle lights of Nan-Mu.

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARYL C. POPE whose telephone number is (571) 272-2959. The examiner can normally be reached on M-TH 8:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DANIEL WU can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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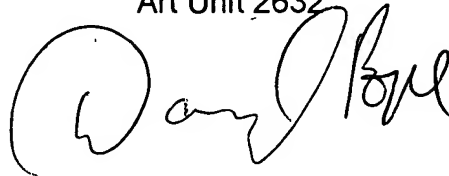
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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daryl C. Pope

June 26, 2005

DARYL C POPE  
Primary Examiner  
Art Unit 2632

A handwritten signature in black ink, appearing to read "Daryl C. Pope", written over the printed name and title.